

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JAMES DEAN MILLER,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-06-1404-M
	)	
JOSEPH D. SCIBANA, Warden,	)	
	)	
Respondent.	)	


**ORDER**

On August 17, 2007, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended that the petition for a writ of habeas corpus be denied and that petitioner's Motion for Emergency/Expedited Review of Petition be denied as moot. Petitioner was advised of his right to object to the Report and Recommendation by September 6, 2007. On September 10, 2007, petitioner filed his objections.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by the Magistrate Judge on August 17, 2007;
- (2) DENIES the petition for a writ of habeas corpus;
- (3) DENIES petitioner's Motion for Emergency/Expedited Review of Petition for Writ of Habeas Corpus [docket no. 6] as MOOT; and
- (4) ORDERS that judgment in favor of respondent issue forthwith.

**IT IS SO ORDERED this 13th day of September, 2007.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE